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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 ANTHONY LEWIS HAMELIN,

13 Defendant.
14

Case No. 2:23-cr-00111-GMN-DJA

**Defendant's Sentencing
Memorandum¹**

15
16 Pursuant to a plea agreement, Mr. Hamelin pled guilty to one count of
17 influencing, impeding, or retaliating against a federal official by threatening a
18 family member and one count of transmitting a communication containing a
19 threat to injure. ECF No. 42 at 5, ¶¶2-3. He respectfully moves the Court to
20 follow the plea agreement and impose the jointly recommended sentence of 46
21 months per count, concurrent, which represents a low-end guideline sentence.
22 ECF No. 42 at 21, ¶106. He asks the Court to follow his custodial sentence with
23 three years of supervised release.
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¹ This memorandum is timely filed.

1 The PSR correctly reflects Mr. Hamelin's total offense level as 23 and his
2 criminal history category as I, producing a guideline range of 46-57 months. ECF
3 No. 42 at 26. The probation officer agrees with the parties' recommendation of a
4 low-end guidelines sentence. *Id.*

5 Mr. Hamelin is mentally ill. He has suffered from bipolar disorder for
6 decades. The offense conduct here, and in his similar prior offenses, was a
7 product of his mental illness. He is hopeful that his mental health treatment will
8 continue in the BOP, and his time spent on supervised release will allow him to
9 access the supports he needs to manage his care successfully in the future.

10 Mr. Hamelin is indigent. On his release from prison, he will rely on social
11 security benefits. Since, at the time of filing, the government has provided no
12 itemized list of expenses incurred by the victim in this case, Mr. Hamelin asks the
13 Court to impose restitution in the nominal sum of \$100.00. *See* ECF No. 42 at 31.
14 He also asks that his payment of restitution be capped at 10% of any income
15 earned during incarceration and/or gross income while on supervision. *See* ECF
16 No. 42 at 27.

17 **II. Conclusion**

18 Mr. Hamelin respectfully asks the Court to sentence him to 46 months in
19 custody followed by three years' supervised release.
20

21 Dated: June 3, 2024.

22 RENE L. VALLADARES
23 Federal Public Defender

24 By: /s/ Joanne L. Diamond

25 JOANNE L. DIAMOND
26 Assistant Federal Public Defender
Attorney for Anthony Lewis Hamelin